

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:08-CR-0291</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>JOSEPH LYMOND,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 23rd day of December, 2008, upon consideration of defendant's motion (Doc. 26), which seeks to dismiss all charges filed against him, and it appearing that defendant is represented by counsel but filed the instant request without assistance therefrom, see United States v. D'Amario, 268 F. App'x 179, 180 (3d Cir. 2008) ("The Constitution does not confer a right to proceed simultaneously by counsel and pro se . . . ."); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006), it is hereby ORDERED that defendant's motion (Doc. 26) is DENIED without prejudice to his right to file a motion seeking similar relief with the assistance of counsel.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge